IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

MONIQUE McDONALD,	§	
74.4.40	§	
Plaintiff,	§	Case No. 3:25-cv-00094
	§	
V.	§ J	Judge Eli J. Richardson
	§ I	Magistrate Judge Barbara D. Holmes
BROOKDALE SENIOR LIVING, INC.	§	
et al.,	§	
	§	
Defendants.	§	
	§	

DEFENDANTS' MOTION TO STAY DISCOVERY PENDING A RULING ON DEFENDANTS' MOTION TO DISMISS

Defendants hereby move to stay of discovery in this matter pending a ruling on Defendants' Motion to Dismiss. Good cause exists for granting this temporary stay of discovery as the theories of liability asserted in the Complaint – which relate to the use of forfeited employer contributions – have never been recognized by this Court or the Court of Appeals for the Sixth Circuit. Moreover, discovery would not assist in the resolution of the Motion to Dismiss and the interests of judicial efficiency would be served by a temporary stay of discovery. In support of this Motion, Defendants rely on their contemporaneously filed Memorandum of Law in Support of Defendants' Motion to Stay.

Respectfully submitted, this 31st day of March, 2025.

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Counsel for Defendants

CERTIFICATE OF CONFERENCE

In accordance with Local Rule 7.01(a), undersigned counsel states that Defendants' counsel conferred with counsel for Plaintiff regarding the relief requested and counsel for Plaintiff indicated that Plaintiff opposes this Motion.

This 31st day of March, 2025.

/s/ Flynne M. Dowdy
Flynne M. Dowdy

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion has been served via the Court's CM/ECF email notification system on:

J. Gerard Stranch, IV Michael C. Iadevaia STRANCH, JENNINGS & GARVEY, PLLC

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on this 31st day of March, 2025.

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/s/ Flynne M. Dowdy
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